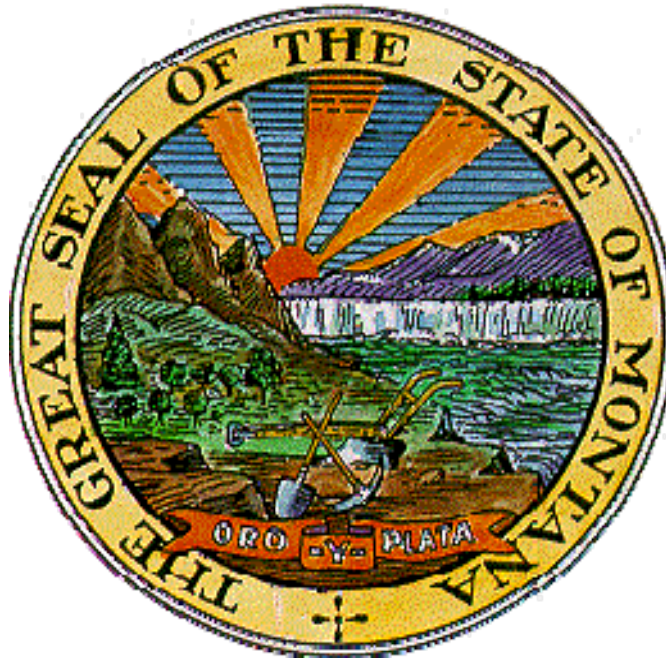


STATE OF MONTANA EMPLOYEE HANDBOOK

APRIL 2005



**PREPARED BY THE
STATE PERSONNEL DIVISION
DEPARTMENT OF ADMINISTRATION**

MONTANA STATE EMPLOYEE'S HANDBOOK

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FRAMEWORK

Introduction

Welcome to those employees that are new to state government in Montana! We appreciate your interest in working with an existing group of outstanding civil servants. State of Montana employees often face requirements on the job that are different from their federal, local, or private sector counterparts and this handbook has been designed to assist you in understanding the requirements specific to state government and the agency where you work.

This handbook is intentionally not totally comprehensive and should not be considered as the only source of information. Instead, it does focus on those critical areas where new employees need to be especially knowledgeable so they can become effective as quickly as possible. Relevant statutes and regulations, additional explanatory material, and contacts for more detailed information are noted for each item in the handbook. *Employees are urged to review the more detailed resource material provided as appropriate.*

Although the handbook is primarily for agency employees in the Executive Branch of State Government, it also will aid those employees who are part of the Legislative and Judicial branches as well as members of certain boards and commissions who have policy control over state programs. Some agencies have published their own detailed administrative policy manuals and employees should also become familiar with the additional provisions included in those manuals.

Some items in this handbook are subject to change as laws and policies are amended. The handbook is updated periodically to incorporate these changes, however, it must be understood that the current edition cannot be considered the final authority on any subject it addresses until all resources are verified.

Alternative accessible formats of this document will be provided upon request. For further information call (406) 444-3944 or use Montana Relay (711) to contact us. Again, welcome to employment with the State of Montana!

Relevant Statutes and Rules:

Montana Code Annotated (MCA)

http://data.opi.state.mt.us/bills/mca_toc/index.htm

MOM Policies

<http://hr.mt.gov/HRServices/policies.asp>

State Personnel Guides

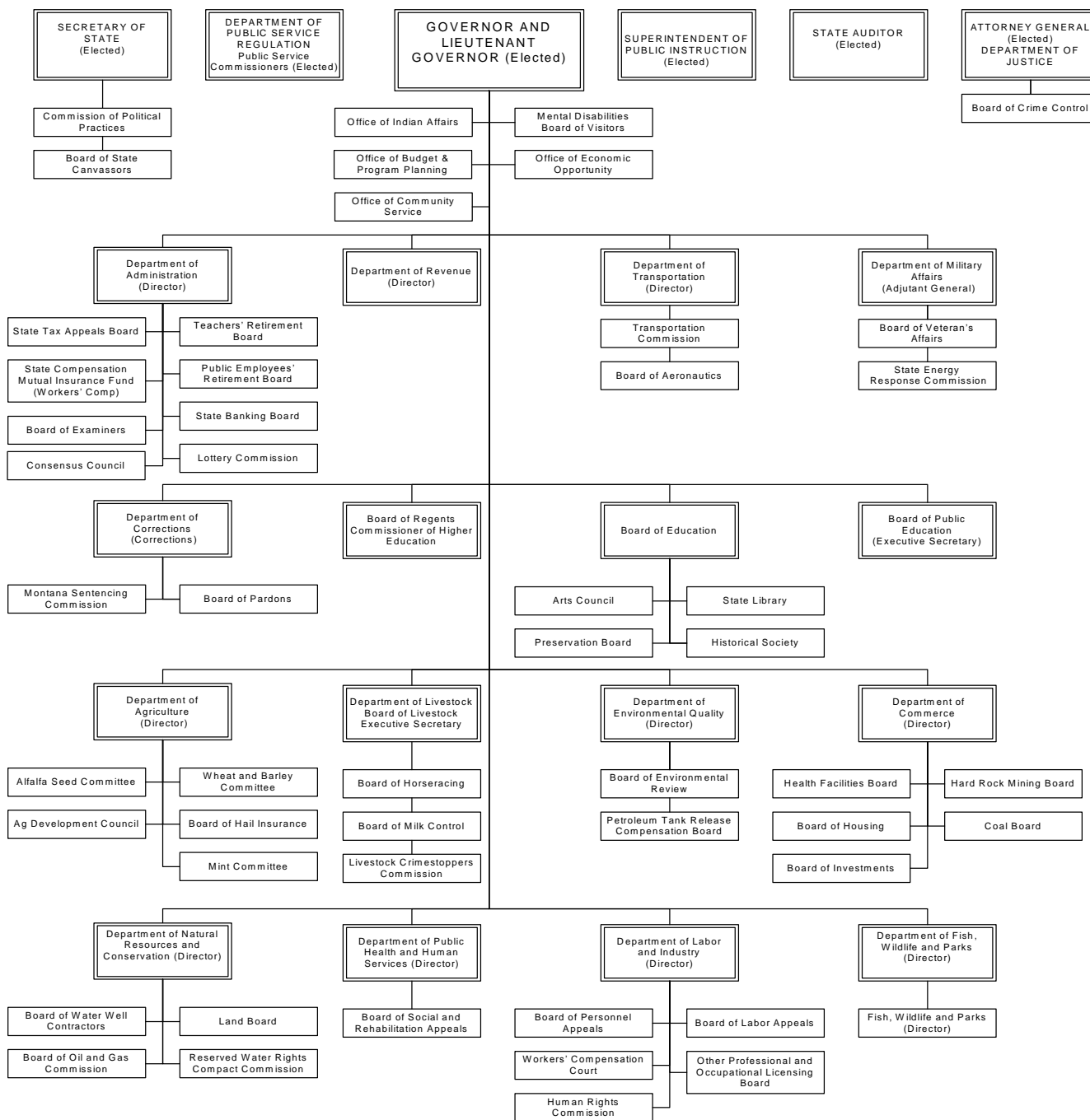
<http://hr.mt.gov/HRServices/guides.asp>

Contact for Information: Your supervisor, personnel or human resources office, or the State Personnel Division at 444-3871.

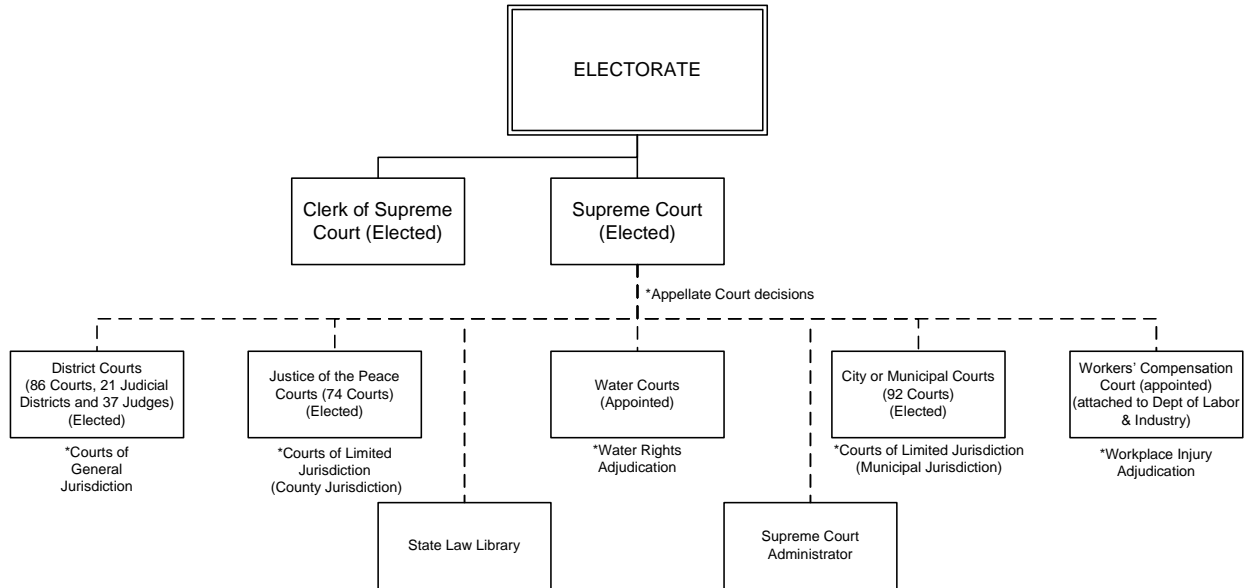
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Organizational Charts

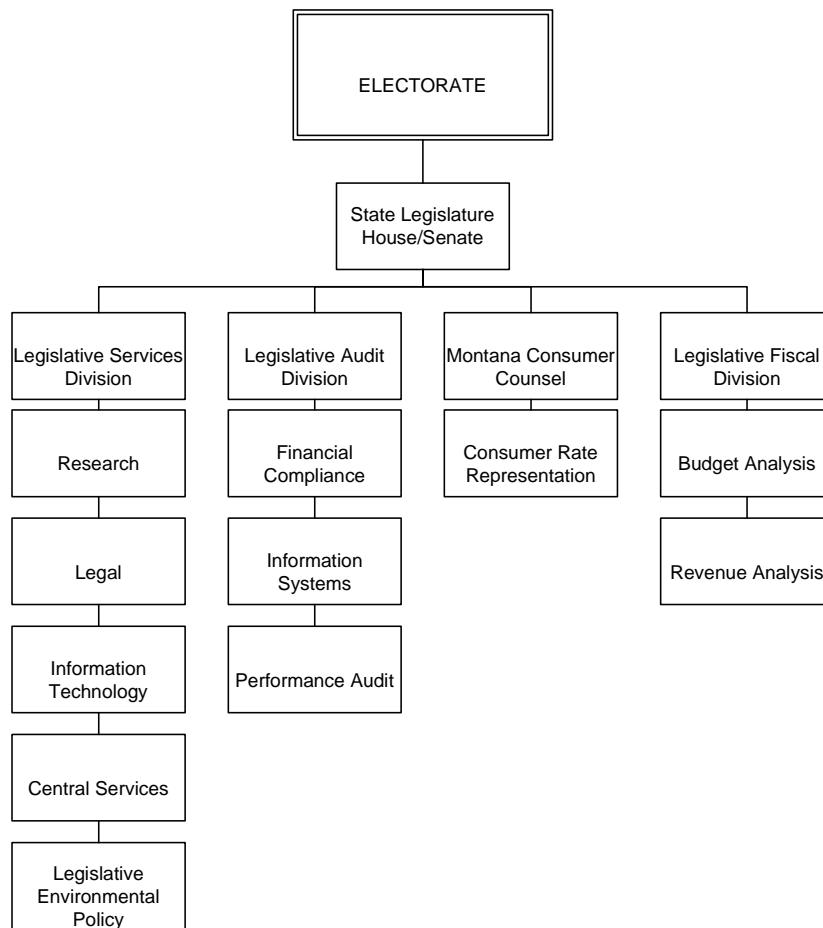
MONTANA EXECUTIVE BRANCH



Montana Judicial Branch



Montana Legislative Branch



DEFINITIONS

The following definitions will help clarify some of the terms used in this manual.

“Employee” means any person employed by an agency except elected state officials and persons contracted as independent contractors or hired under personal services contracts.

“Full-time employee” means an employee who normally works 40 hours a week.

“Part-time employee” means an employee who normally works less than 40 hours a week.

“Permanent employee” means an employee who is designated as permanent and who has attained or is eligible to attain permanent status.

“Permanent status” means the state an employee attains after satisfactorily completing an appropriate probationary period.

“Seasonal employee” means a permanent employee who is designated by an agency as seasonal, who performs duties interrupted by the season, and who may be recalled without the loss of rights or benefits accrued during the preceding season.

“Short-term worker” means a person who is hired by an agency for an hourly wage established by the agency, may not work more than 90 days in a continuous 12-month period, is not eligible for permanent status, may not be hired into another position by the agency without a competitive selection process, and is not eligible to earn leave, holiday, and insurance benefits.

“Student Intern” means a person who, has been accepted in or is currently enrolled in an accredited school, college, or university and is hired directly by an agency in a student intern position, is not eligible for permanent status, is not eligible to become a permanent employee without a competitive selection process, must be covered by the hiring agency's workers' compensation insurance, is not eligible to earn the leave and holiday benefits provided for in part 6 of this chapter or the group insurance benefits provided in part 7 of this chapter and may be discharged without cause.

“Temporary employee” means an employee who is designated as temporary by an agency for a definite period of time not to exceed 12 months, performs temporary duties or permanent duties on a temporary basis, is not eligible for permanent status, is terminated at the end of the employment period, and is not eligible to become a permanent employee without a competitive selection process.

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AT WORK

Standards of Conduct

Working in public employment offers a great opportunity for people with a service orientation. State employees can often feel satisfaction that their work has assisted many fellow citizens. As a state employee, you are expected to carry out the duties of your job for the benefit of the people of the state of Montana.

The Legislature has established standards of conduct for employees. These include but are not limited to a Code of Ethics, Proscribed Acts Related to Contracts and Claims, and prohibitions against nepotism.

The publication “Ethics-Standards of Conduct for State Employees” explains standards of conduct that apply to all state employees. The Proscribed Acts Related to Contracts and Claims discusses the fact that employees may not have an interest in any contract made by them in their official capacity if they are directly involved with the contract. For example an interest is an act that would create a personal financial gain and/or conflict with your job duties as a public employee. Also a former employee may not, within 6 months from termination, contract or be employed by an employer who contracts, with the state involving matters with which the former employee was directly involved during their state employment. The act of a public employee granting any political favor or appointment for reason of relationship rather than of merit is considered nepotism. Nepotism is regarded as a misdemeanor and subject to a state imposed fine.

Your agency’s standards of conduct policy may have additional requirements that apply to you.

Relevant Statutes and Rules:

2-2- Part 1 MCA covers Standards of Conduct

http://data.opi.state.mt.us/bills/mca_toc/2_2.htm

Guide - Ethics Standards of Conduct

<http://hr.mt.gov/HRServices/standardsofconductguide.doc>

Personnel Conduct within Capital Complex Facilities Policy Letter

<http://hr.mt.gov/HRServices/personnel%20conduct%20capitol%20complex.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional information on this subject.

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Attendance

State employees are expected to work their scheduled shifts unless they receive advance permission to take leave. Work schedules depend upon the position and the agency. State agencies are required to be open for business from 8:00 a.m. to 5:00 p.m., Monday through Friday. Some agencies operate 24 hours a day, seven days a week. Some agencies allow alternative work schedules or telework. Contact your supervisor for specific information about alternative work schedules in your agency.

Employees who will be late or unable to report for work should follow their specific agency's policy about notifying their supervisor.

Relevant Statutes and Rules:

Guide - Telework Program Guide

<http://hr.mt.gov/HRServices/Guides/Teleworkguide.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on alternative work schedules.

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Internet Use

The State provided Internet, intranet and related services are to be used for: the conduct of state and local government business and delivery of government services; transmitting and sharing of information among governmental, research, and educational organizations; supporting open research and education in and between national and international research and instructional institutions; communicating and exchanging professional information; encouraging debate of issues in a specific field of expertise; applying for or administering grants or contracts; announcing requests for proposals and bids; announcing new services for use in research or instruction; and conducting other appropriate State business.

The State provided internet, intranet and related services are not to be used for: 1)"for-profit" activities, 2) "non-profit" or public, professional or service organization activities that aren't related to an employee's job duties, or 3) for extensive use for private, recreational, or personal activities.

Employees should not have expectations of privacy for Internet use. Agency System Administrators, management, and Department of Administration personnel can monitor Internet usage for planning and managing network resources, performance, troubleshooting purposes, or if abuses are suspected.

Relevant Statutes and Rules:

Information Services Technology Division – Guide to internet usage

<http://www.discoveringmontana.com/itsd/policy/policies/entint011.asp>

User Responsibility

<http://www.discoveringmontana.com/itsd/policy/policies/ENTSEC081.asp>

MOM 1-0250.00 Information System Security

<http://www.discoveringmontana.com/itsd/policy/policies/Laws.asp> - MOM01-0250

MCA 45-6-311

<http://data.opi.state.mt.us/bills/mca/45/6/45-6-311.htm>

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Political Activity

If your position is funded wholly or in part by federal funds, you may be subject to the Hatch Act (5 U.S.C. §1501-1508) If so, you may not use your official authority or influence to:

Interfere with or affect the result of an election or nomination for office; directly or indirectly coerce, attempt to coerce, command or advise a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes; or be a candidate for elective office in a partisan election.

However, you may express your opinions on political subjects and candidates, take an active part in political management and political campaigns, and be a candidate for an elective office within a political party.

Different rules apply to employees not subject to the Hatch Act. State of Montana restrictions about political activity only cover an employee's time on the job. You may not solicit money or otherwise campaign while at your place of employment.

Montana law does not restrict political activity on your own time. A public employee who is not covered by the Hatch Act may run for a partisan elective office. Public employees serving in an elective office are eligible for up to 180 days of unpaid leave per year.

As a state employee, no one may coerce or require that you contribute money or services to a political candidate or committee.

Relevant Statutes and Rules:

2-2-121 MCA – Rules of Conduct

<http://data.opi.state.mt.us/bills/mca/2/2/2-2-121.htm>

2-2-103 MCA – Public Trust – Public Duty

<http://data.opi.state.mt.us/bills/mca/2/2/2-2-103.htm>

Guide - Political Activity Guide

<http://hr.mt.gov/HRServices/Guides/politicalactivityguide.doc>

Hatch Act

http://www.osc.gov/ha_state.htm

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Sexual and Other Harassment

The State of Montana's policy is to provide employees with a work environment free of harassment. Harassment of employees, clients, customers, and any other persons doing business with state government because of a person's ***race, color, national origin, age, physical or mental disability, marital status, religion, creed, sexual orientation or political beliefs*** is prohibited.

In 2000, the State of Montana adopted new Nondiscrimination-EEO Rules, 21.4001 et seq., ARM.

Examples of other prohibited discrimination and harassment include, but are not limited to: Coercion of employees, clients, or customers in the participation or non-participation in religious activities; or ethnic slurs, repeated jokes, innuendoes, or other verbal or physical conduct because of a person's nationality, race, color, age, physical or mental disability, marital status, religion, creed, sexual orientation or political beliefs, if these actions create an intimidating, hostile or offensive working environment.

Reporting – Discrimination and harassment should be reported as soon as possible; if you are unable to confront the individual or if the harassment continues, notify your supervisor or the first level of management not involved. You may also notify your agency's EEO Officer. Ask about your agency's complaint resolution procedure. You also may file a complaint with the Montana Human Rights Bureau, Department of Labor and Industry, within 180 days of the alleged incident. Contact your agency EEO Officer or the Human Rights Bureau at (406) 444-2884 for additional information about discrimination and harassment.

Relevant Statutes and Rules:

Affirmative Action Program

<http://hr.mt.gov/HRServices/affirmaction.asp>

Guide - Nondiscrimination-EEO Guide

<http://hr.mt.gov/HRServices/Guides/EEOGuide.doc>

Executive Order - 07-82 Prohibiting Sexual Harrasment

<http://hr.mt.gov/HRServices/Policies/ExecOrder7-82.doc>

Administrative Rules of Montana – Nondiscrimination Equal Opportunity

<http://161.7.8.61/2/2-1155.htm>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Probationary Period

All newly hired employees in permanent positions serve a probationary period. During this period, an agency assesses an employee's ability to perform the job duties. Conduct and performance on the job determines whether an employee should be retained beyond the probationary period. An employee who attains permanent status retains permanent status when he or she transfers to another position or agency without a break in service.

A probationary period may be six months to one year unless otherwise provided by law. Under certain circumstances, a probationary period may be extended an additional six months. Each agency establishes probationary periods for positions within the agency.

Relevant Statutes and Rules:**MOM 3-0170 – Probation**

<http://hr.mt.gov/HRServices/Policies/MOM/3-0170.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Job Sharing, Alternative Work Schedules and Teleworking

Some agencies use alternative work schedules and strategies to promote increased productivity and employment opportunities. Agencies decide whether these options are available.

Relevant Statutes and Rules:

Guide - Telework Program Guide

<http://hr.mt.gov/HRServices/Guides/Teleworkguide.doc>

Contact for Information: To request a position be considered for alternative work options, contact your supervisor or agency personnel office.

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Incentive Awards

State employees may be eligible for cash awards if their ideas or achievements save the state money, resources, improve effectiveness, or improve service to the public. If an idea or achievement has a documented value, up to \$17,000 may be awarded. If a documented value cannot be calculated, management may award up to \$500 or up to 40 hours of paid leave.

Relevant Statutes and Rules:

2-18-11 MCA – Employee Incentive Program

http://data.opi.state.mt.us/bills/mca_toc/2_18_11.htm

MOM 3-0550 – Incentive Award Program

<http://hr.mt.gov/HRServices/Policies/MOM/3-0550.doc>

Contact for Information: For more information about incentive awards, contact your agency's incentive award coordinator.

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Travel Expenses

When you travel on official state business in connection with your job, your agency will pay or reimburse you for certain travel related expenses provided you submit the appropriate receipts. You also must submit a travel expense form.

The state motor pool or your agency may provide you with a state-owned vehicle. If you use your personal vehicle for travel on state business, you must receive prior approval from your agency to be reimbursed for mileage. State law prohibits personal use of

state-owned vehicles. If you use public transportation, you should obtain the least expensive fare available.

Relevant Statutes and Rules:

MOM 1-0300. – State Travel Policy

<http://discoveringmontana.com/doa/doatravel/travelmain.asp>

Contact for Information: Your supervisor or agency personnel office has more details about your agency's travel policies and procedures.

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State of Montana Vehicle Use

State employees may operate a state vehicle if the driver possesses a valid driver's license appropriate to the type of vehicle to be driven, are not restricted by conviction points on their driving record; and are conducting business on behalf of the state. Drivers and passengers must use installed seat belts at all times state vehicles are driven. Authorized drivers are covered under the state self-insurance plan for liability to others while operating a state vehicle while on state business.

Relevant Statutes and Rules:

**Guidelines about the usage of the State of Montana Vehicles
Risk Management and Tort Defense Policy**

<http://www.discoveringmontana.com/doa/rmtd/aboutus/files/vehicleuseruleadopted.pdf>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Classification

Job classification is a system for comparing jobs to standards and placing them in categories based on type of work and level of work. This system makes it possible to promote both internal and external pay equity.

The Montana State Legislature directed the Department of Administration to develop a statewide classification and pay system with the following guidelines:

1. State jobs should be grouped into defined classes based on the similarity of the work performed, the responsibilities assumed and the complexity of the work.
2. Similar levels of education, experience, knowledge, skill and ability can be required of applicants for each position.
3. The same title can be used to identify each position.
4. Similar pay can be provided, under the same conditions, to each position with appropriate consideration given to equity, market salary rates for similar work, ADA and EEO requirements.

Classification focuses on characteristics of the work, not the person doing the job. Type of work can be very general, such as a “job family” (Information Technology) or more specific (Information System Security Specialist). The levels assigned various “factors” or aspects of the work that are measured determine the level of work.

The classification process uses the Benchmark Factoring Methodology (BFM) to establish the level and type of work performed in a position. There are three classified pay plans that use BFM to set the level of work and the type of work. These are the Broadband Pay Plan (020), the Statewide Classified Plan (060) and the Information Technology and Engineering Plan (068).

The Benchmark Factoring Method uses factor level descriptions and benchmark positions to describe and evaluate work. This approach defines levels of work and responsibility that are used to set pay levels.

The Human Resources Standards and Services Bureau publishes an inventory of class titles, the standards used to determine the application of the level language and the manual for applying the state’s job evaluation method.

Relevant Statutes and Rules:

MOM 3-0401 - Classification Plan Rules

<http://discoveringmontana.com/doa/spd/resources/3-0401.doc>

MOM 3-0505 - Pay Plan 060 Rules

<http://hr.mt.gov/HRServices/Policies/MOM/3-0401.doc>

2-18 MCA – Classification

http://data.opi.state.mt.us/bills/mca_toc/2_18_2.htm

ARM 24.26 Administrative Rules of Montana: Board of Personnel Appeals

<http://arm.sos.state.mt.us/24/24-1651.htm>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Employee Record Keeping

Personnel records for state employees are maintained in both paper and electronic formats. These records may contain personal information like your date of birth, gender, military discharge information, home telephone, emergency contact, skills, training, education, and other information relating to your employment.

You, your supervisor, and managers in the same organizational chain have access to your personnel files.

Relevant Statutes and Rules:

MOM 3-0110 – Employee Record Keeping

<http://hr.mt.gov/HRServices/Policies/MOM/3-0110.doc>

Contact for Information: For further information about employee record keeping or to access information in your files, contact your supervisor or agency personnel office.

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Unions and Employee Organizations

State employees, unless exempted by their job status, have the right to be represented by a labor organization. Salary, benefits, and other matters may be negotiated within the limits of the laws that regulate collective bargaining.

State employees exempt from collective bargaining include elected officials, persons directly appointed by the governor, supervisory employees, management officials, members of any board or commission who serve the state intermittently, and professional engineers and engineer interns.

Where state employment policies and collective bargaining agreements conflict, the collective bargaining agreement takes precedence.

Relevant Statutes and Rules:

Labor Relations

<http://hr.mt.gov/laborrelations/homelabor.asp>

Contact for Information: For more information about labor organizations and employee organizations, contact your agency personnel office or the Labor Relations Bureau, State Personnel Division.

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Grievances

Employees who have attained permanent status may file a grievance under procedures set out in the statewide Grievances policy and their agency's grievance policy, unless their grievance policy is set by statute or collective bargaining agreement. Employees covered by union agreements, which contain grievance procedures, may file under those procedures.

Relevant Statutes and Rules:

2-18-10 MCA – Montana Department of Transportation Grievance Procedures

http://data.opi.state.mt.us/bills/mca_toc/2_18_10.htm

MOM – 3-0125 – Grievances

<http://hr.mt.gov/HRServices/Policies/MOM/3-0125.doc>

Form - Grievance Form

<http://hr.mt.gov/HRServices/GrievanceForm.doc>

Contact for Information: See your supervisor or agency personnel office for details about your agency's grievance procedure.

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Resignation

If you plan to resign from state service it is customary to notify your immediate supervisor at least two weeks before your final day of employment.

Some agencies may request a written notification or a longer notice for employees in some positions.

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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SALARY AND COMPENSATION

Salary Payment

The State of Montana pays employees every two weeks. You will receive your check within 10 business days following the last day of the payroll period. You must submit a time sheet at the end of each pay period. See your supervisor for pay periods and pay dates.

The State of Montana encourages all employees to use direct deposits. If you have your pay deposited automatically, you will receive a payroll advice form that shows the number of hours worked, gross pay, net pay, and other items such as insurance, tax withholdings, deferred compensation, credit union or union deductions, and charitable contributions. It also shows the amount of annual leave, sick leave, and compensatory time you've earned and used. If you receive a paycheck, this information is included with your check.

There are 26 pay periods in each year. Deductions, such as deferred compensation or credit union payments, are halved each month and deducted from 24 pay periods. This leaves two pay periods without these types of deductions, making your paycheck slightly larger.

If you have questions about your pay, contact your agency's payroll technician.

Relevant Statutes and Rules:

2-18-405 MCA – Payroll Systems

http://data.opi.state.mt.us/bills/mca_toc/2_18_4.htm

MOM 3-0521 – Payroll Rules

<http://hr.mt.gov/HRServices/Policies/MOM/3-0521.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Pay Plans

Montana State Government maintains a number of different pay systems created through legislation or rule. Plans listed on this website are executive branch plans and do not include pay plans for the university system, the legislative branch, or the judicial branch (judges' salaries are included under Elected Officials). The Statewide Classified Plan and the Broadband Plan cover most executive branch state employees.

Relevant Statutes and Rules:

2-18-3 MCA– Compensation Determination

http://data.opi.state.mt.us/bills/mca_toc/2_18_3.htm

MOM 3-0510 – Broadband Classification and Pay Plan

<http://hr.mt.gov/HRServices/Policies/MOM/3-0510.doc>

Please select one of the following plans for more information:

- **Statewide Classified Plan (Pay Plan 060)**
<http://hr.mt.gov/HRServices/ClassificationCompensation/payplan060.asp>
- **Broadband Plan (Pay Plan 020)**
<http://hr.mt.gov/HRServices/ClassificationCompensation/payplan020.asp>
- **Blue Collar Plan (Pay Plan 062)**
<http://hr.mt.gov/HRServices/ClassificationCompensation/payplan062.asp>
- **Teachers Plan (Pay Plan 064)**
<http://hr.mt.gov/HRServices/ClassificationCompensation/payplan064.asp>
- **Medical Professionals Plan (Pay Plan 067)**
<http://hr.mt.gov/HRServices/ClassificationCompensation/payplan067.asp>
- **Information Technology and Engineering Plan (Pay Plan 068)**
<http://hr.mt.gov/HRServices/ClassificationCompensation/payplan068.asp>
- **Elected Officials Salaries**
<http://hr.mt.gov/HRServices/ClassificationCompensation/payplanelectedofficials.asp>

Contact for Information: If you have questions about pay, contact your agency personnel office or the pay administration staff in the Human Resources Standards and Services Bureau.

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Overtime and Compensatory Time

The Fair Labor Standards Act (FLSA) covers state government overtime and some compensatory time practices. Union Collective Bargaining Agreements also may direct an employee's eligibility for overtime pay.

Some positions are *exempt* from the overtime provisions of the FLSA. However, employees in these positions may be eligible to earn compensatory time under the state's policy.

Relevant Statutes and Rules:

39-3-405 MCA Overtime Compensation

<http://data.opi.state.mt.us/bills/mca/39/3/39-3-405.htm>

MOM 3-0210 – Overtime and Nonexempt Compensatory Time

<http://hr.mt.gov/HRServices/Policies/MOM/3-0210.doc>

MOM 3-0211 - Exempt Compensatory Time

<http://hr.mt.gov/HRServices/Policies/MOM/3-0211.doc>

ARM 24.16.101 – Wages and Hours

<http://arm.sos.state.mt.us/24/24-935.htm>

Contact for Information: For more information about how the FLSA applies to your position, contact your agency personnel office.

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State and Federal Withholding Taxes

The state withholds a portion of your wages to help you meet your tax obligations. Shortly after the end of the year, you will receive IRS Form W-2 that shows the total amount of taxes the state has withheld during the past year. The amount withheld depends on your salary and the number of dependents you claim. At anytime during the year, you may change your W-4 form. This form indicates the number of dependents you claim provided you follow the Internal Revenue Service's guidelines on dependents.

Contact for Information: Your supervisor, personnel or human resources office will have additional material on this subject.

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Social Security

Social Security and Medicare cover state employees. Currently, 7.65 percent of your salary is withheld for Social Security and Medicare coverage. This includes 6.2 percent for Social Security and 1.45 percent for Medicare.

You may be eligible for Social Security benefits when you retire or become permanently disabled. In event of your death, Social Security also may provide benefits to your survivors. For detailed information, contact your federal Social Security office.

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Worker's Compensation

If you have an accident on the job, notify your supervisor immediately and report the accident to State Fund. You may be eligible for workers' compensation insurance. Some departments also have early return to work programs that are available to employees who qualify for workers' compensation. Ask your supervisor about your agency's early return to work program.

Relevant Statutes and Rules:

Guide - Early Return-to-Work Program Guide

<http://hr.mt.gov/HRServices/Guides/earlyreturnworkguide.doc>

Guide - Reasonable Accommodation Guide

<http://hr.mt.gov/HRServices/Guides/reasonableaccommodationguide.doc>

Guide - Family and Medical Leave Act Guidelines

<http://hr.mt.gov/HRServices/Guides/FMLAGuide.doc>

Contact for Information: The Department of Labor and Industry publication Workers' Compensation Information Pamphlet provides details about workers' compensation insurance. To obtain a copy, contact the Employment Relations Division, Department of Labor and Industry, P.O. Box 8011, Helena, MT 59604-8011, or call (406) 444-7751, (406) 444-3089 or (406) 444-6543.

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Unemployment Insurance

State employees are covered by unemployment insurance. If you become unemployed through no fault of your own, you may be eligible for benefits.

Relevant Statutes and Rules:

39-51 MCA Labor: Unemployment Insurance

http://data.opi.state.mt.us/bills/mca_toc/39_51.htm

Contact for Information: If you become unemployed and want to collect unemployment insurance benefits, you must contact the Unemployment Insurance Claims center. This can be done by calling the Unemployment Insurance telephone claims center in Helena (406) 444-2545 or Billings (406) 247-1000.

Unemployment Insurance Division

<http://uid.dli.state.mt.us/>

Job Service

<http://wsd.dli.mt.gov/default.asp>

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BENEFITS

Health and Life Insurance Group Benefits

The State of Montana has developed a comprehensive group insurance benefits program that includes medical, dental, vision, prescription, and life insurance options. The state contribution covers the cost of your "core" medical, dental, and basic life insurance. Additional coverage is available for yourself and your eligible dependents. Your personnel office or the Employee Benefits Bureau has information about the costs for additional coverage.

The state sponsors a bi-annual health screening for eligible employees at no cost. The screening features a blood analysis, body weight assessment, and overall health review. The benefits bureau notifies employees when health screenings are scheduled.

Another benefit of state health insurance is the employee assistance program (EAP), and a maternity assistance program which are administered by Reliant Behavioral Health. The programs are intended to help you and your family deal with issues that are affecting your personal life. Reliant Behavioral Health offers confidential counseling services, chemical dependency services, psychiatric services, financial consultations and legal consultations. For example, short-term counseling (up to 4 visits) is provided free of charge. For more information on any of these services, request a pamphlet describing the EAP through your agency or through the benefits bureau. Call 1-800-833-3031 for 24-hour, seven days per week, crisis counseling.

The Employee Benefits Plan booklet provides a complete description of health and life insurance benefits. For a copy, contact your agency personnel office or the Employee Benefits Bureau.

Relevant Statutes and Rules:

MOM 3-0560 – State Employee Group Insurance Program

<http://hr.mt.gov/HRServices/Policies/MOM/3-0560.doc>

Contact for Information: Your supervisor, personnel or human resources office, or the State Personnel Division at 444-3871. Our address is Department of Administration, State Personnel Division, PO Box 200127, Helena MT 59620-0127.

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Deferred Compensation

The state deferred compensation program is a voluntary supplemental retirement program authorized by Internal Revenue Service Codes and Montana law. The program allows you to defer a specified amount of pre-tax income into your account. The amount you defer, and any investment income, is not taxable until you begin receiving the money, usually at retirement.

Relevant Statutes and Rules:

Deferred Compensation – BenefitsCorp

<http://www.state.mt.us/doa/perb/defComp.asp>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

For more information about deferred compensation, contact BenefitsCorp, the Plan's third party administrator at 1-800-981-2786 or (406) 449-2408.

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Retirement

There is no mandatory retirement age for state employees. Membership in the Public Employees' Retirement System (PERS) is mandatory for most state employees and begins on the first day of employment. Mandatory contributions to PERS are tax deferred and may not be refunded for any reason until termination of covered employment. PERS provides retirement, disability, and death benefits to more than 27,000 state and local government and school district employees. In addition to PERS, the Public Employees' Retirement Administration (PERA) administers the Game Wardens' and Peace Officers, Judges', Sheriffs', and Highway Patrol Officers' retirement systems.

Retirement Plans

As a state employee you will have the option of choosing between one of two retirement plans. After making your choice it is irrevocable. You are automatically a participant in the Defined Benefit Retirement Plan. Within 12 months from your date of hire you must choose whether to remain in the **Defined Benefit Retirement Plan** or transfer to the **Defined Contribution Retirement Plan**.

The **Defined Benefit Retirement Plan** uses a specific formula to determine your lifetime retirement benefit. It guarantees a specified monthly retirement benefit based upon that formula. Your monthly benefit will be paid to you for your lifetime. Following one year of retirement, your monthly benefit will be increased each January by a Guaranteed Annual Benefit Adjustment (GABA).

The **Defined Contribution Retirement Plan** specifies how much is contributed to the plan. The benefit amount depends on the size of the participant's individual account balance at retirement. The account balance, in turn, depends on employer and participant contributions and investment earnings. Investment earnings can be either positive or negative during any period of time. Defined contribution plan participants assume the investment risk, but are also entitled to all investment returns.

Relevant Statutes and Rules:

Guidelines about retirement options

Defined Benefit Plan

<http://mpera.mt.gov/docs/DBBasics.pdf>

Defined Contribution Plan

<http://mpera.mt.gov/docs/DCBasics.pdf>

PERS Handbook -

<http://www.discoveringmontana.com/doa/perb/docs/PersDBRPhandbook.pdf#xml=http://search2.discoveringmontana.com/cgi-bin/taxis.cgi/webinator/search/xml.txt?query=PERS&pr=Search2&prox=page&rorder=500&rprox=500&rdfreq=500&rwfreq=500&rlead=500&sufs=0&order=r&cq=&id=417317731>

Contact for Information: The Montana Public Employee Retirement System handbook provides details about PERS. It's available from your agency's payroll staff, your personnel office, or PERA. To help you plan for retirement, PERA and the Professional Development Center jointly sponsor quarterly Pre-Retirement Planning workshops around the state. For more information about benefits available to you from your retirement system, write to PERA, 1712 Ninth Avenue, P.O. Box 200131, Helena, MT 59620-0131, or phone (406) 444-3154.

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LEAVE

Annual Vacation Leave

Full-time employees earn annual leave credits at a yearly rate based on the following schedule. Part-time employees' leave credits are calculated on a pro-rated basis. In most cases, the schedule is based on your total years of service as a Montana public employee regardless of whether or not your employment was continuous. You must be

continuously employed for six calendar months to use annual leave. You must request use of annual leave in advance of your absence and follow your agency's leave approval procedures. Certain conditions that interrupted your state employment, such as military service time, also may count toward your years of service. Certain other public employment may also qualify toward your years of service.

Rate Earned Schedule

Years of Employment	Working Days Credit Per Year
1 day through 10 years	15
10 years through 15 years	18
15 years through 20 years	21
20 years or more	24

Unless you are terminated for a reason reflecting discredit on your employer, when you leave state employment you will receive cash compensation for unused annual leave credits. You must have at least six months continuous service to be eligible for cash compensation.

Relevant Statutes and Rules:

2-18-611 MCA – Annual Vacation Leave

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-611.htm>

2-18-612 MCA – Rate Earned

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-612.htm>

MOM 3-0305 – Annual Vacation Leave

<http://hr.mt.gov/HRServices/Policies/MOM/3-0305.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Holiday Leave

Legal holidays for state employees are:

- 1) New Year's Day, January 1
- 2) Martin Luther King Day, the third Monday in January
- 3) Lincoln's and Washington's Birthday, the third Monday in February
- 4) Memorial Day, the last Monday in May
- 5) Independence Day, July 4

- 6) Labor Day, the first Monday in September
- 7) Columbus Day, the second Monday in October
- 8) Veteran's Day, November 11
- 9) Thanksgiving Day, the fourth Thursday in November
- 10) Christmas Day, December 25
- 11) State General Election Day, on even numbered years.

Relevant Statutes and Rules:

2-18-603 MCA - Holidays

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-603.htm>

MOM 3-0325 – Holidays

<http://hr.mt.gov/HRServices/Policies/MOM/3-0325.doc>

Current year holidays

<http://hr.mt.gov/HRServices/2005holidaycalendar.asp>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Sick Leave

Permanent, seasonal, and temporary employees are eligible to earn sick leave credits from their first day of employment. However, you must be employed for 90 continuous days before you are eligible to use sick leave. Full-time employees earn sick leave at a rate of twelve days per year. Part Time employees earn sick leave on a prorated basis. Short-term workers do not earn sick leave credits.

Sick leave may be used for the following reasons:

- time off when an employee is unable to perform job duties because of physical or mental illness, injury or disability;
- maternity-related disability, including prenatal care, birth, miscarriage, abortion, or other medical care for either employee or child;
- parental leave as provided in 2-18-606 MCA
- quarantine resulting from exposure to contagious disease;
- examination or treatment by a licensed health care provider;
- short-term attendance to an immediate family member or, at an agency's discretion, another relative due to physical or mental illness, injury, disability, or examination or treatment until other care can reasonably be obtained;
- necessary care of a spouse, child, or parent with a serious health condition, as defined in the Family and Medical Leave Act of 1993;

- death or funeral attendance of an immediate family member or, at an agency's discretion, another person.

Whenever possible, you should request to use sick leave in advance of your absence. Do not wait until you return to work to inform your supervisor about the reason for your absence. Using sick leave for any reason that is not an approved use of sick leave is considered an abuse of sick leave. Chronic, persistent, or patterned use of sick leave also may be considered an abuse of sick leave. Abuse of sick leave is cause for dismissal and forfeiture of cash compensation for unused sick leave.

In most cases, when you leave state employment you will receive cash compensation for unused sick leave. The compensation is equal to one-fourth the amount you would have received if you had used your sick leave credits. However, you must be employed for at least 90 continuous days before you are eligible for cash compensation.

Relevant Statutes and Rules:

2-18-618 MCA – Sick Leave

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-618.htm>

MOM 3-0310 – Sick Leave

<http://hr.mt.gov/HRServices/Policies/MOM/3-0310.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Sick Leave Fund and Direct Sick Leave Grants

The sick leave fund policy offers two benefits: for employees with an extended illness or recovery from and accident: grants of up to 240 hours of sick leave each year from the sick leave fund (for participating employees) and direct grants of sick leave from coworkers.

Employees may join the sick leave fund by contributing eight hours of sick leave to the fund. Participation requirements are prorated for part-time employees. You must have at least a 40-hour minimum balance of sick leave after your contribution to the fund. Before receiving sick leave from the fund or direct grants from coworkers you must be absent from work for more than 10 days, use all your sick leave, annual leave, other accrued paid leave, and take twenty (20) consecutive hours leave without pay. You must receive approval from your agency to use these sources of sick leave. There are additional sick leave fund and direct sick leave grant program requirements.

To join the Sick Leave Fund, request a Grant for Sick Leave from Sick Leave Fund or give a Direct Grant of Sick Leave, complete one of the following forms and send it to your agency's payroll office:

Form - Sick Leave Fund Contribution Form

<http://hr.mt.gov/HRServices/SickLeaveFundContributionForm.doc>

Form - Sick Leave Fund Request Form

<http://hr.mt.gov/HRServices/SickLeaveFundRequestForm.doc>

Form - Sick Leave Direct Grant Form

<http://hr.mt.gov/HRServices/SickLeaveFundDirectGrantForm.doc>

Relevant Statutes and Rules:

2-18-618 MCA – Sick Leave

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-618.htm>

MOM 3-0311 – Sick Leave Fund

<http://hr.mt.gov/HRServices/Policies/MOM/3-0311.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Jury Duty and Witness Leave

State employees who formally are summoned or subpoenaed are granted leave to serve as witnesses or serve on a jury. If you are called to serve, you should request jury duty and witness leave and provide a copy of the summons, subpoena, or jury service notice.

If you collect fees and allowances payable to you because of your service and turn them over to your payroll clerk within three days of the time you receive them, you will receive your regular salary while on leave. You may keep any expense or mileage monies paid by the court if you use your personal vehicle.

If you use your annual vacation leave or compensatory time while serving on a jury duty or as a witness, you may keep all fees and allowances paid by the court.

Relevant Statutes and Rules:

2-18-619 MCA – Jury Duty

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-619.htm>

MOM 3-0322 – Jury Duty and Witness Leave

<http://hr.mt.gov/HRServices/Policies/MOM/3-0322.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Disability and Maternity Leave

Disability is an illness, injury, or other condition preventing you from performing some or all of the duties of your position. A disability may be the result of a short-term illness or injury, pregnancy or childbirth, or industrial accident. If you are absent because of a disability, you may request sick leave, annual leave, leave without pay, or other accrued leave.

If you are absent from work due to a disability, you may request to use your sick leave, annual leave, leave without pay, or other accrued leave. MOM Policy requires employees to furnish medical certification for absences lasting more than 6 weeks.

Employees eligible for or receiving worker's compensation may also want to learn about the State's Early Return-to-Work Program that is described in the Early Return To Work Guide.

Montana law requires that employers provide a “reasonable” leave of absence for maternity leave. Personnel rules define six weeks as a “reasonable” amount of leave to recover from a temporary disability after the birth of a child. You may also request additional leave under the Family Medical Leave Act.

Many state agencies have developed early return to work programs for employees who have been injured, cannot return to full-time work, and are eligible for or receiving workers’ compensation.

Relevant Statutes and Rules:

2-18-606 MCA – Parental Leave

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-606.htm>

MOM 3-0315 – Disability and Maternity

<http://hr.mt.gov/HRServices/Policies/MOM/3-0315.doc>

MOM 3-0309 – Family and Medical Leave FMLA

<http://hr.mt.gov/HRServices/Policies/MOM/3-0309.doc>

Guide - Family and Medical Leave Act Guidelines

<http://hr.mt.gov/HRServices/Guides/FMLAGuide.doc>

Guide - Early Return to Work Guide

<http://hr.mt.gov/HRServices/Guides/earlyreturnworkguide.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Parental Leave

Permanent employees who are birth fathers or parents adopting a child may take a reasonable leave of absence not to exceed 15 working days immediately following the birth of a child or placement of a child with the employee for adoption. Employees on approved parental leave may use their accrued sick leave, annual leave, compensatory time and leave without pay.

Short-term workers and temporary employees are not eligible for parental leave.

Relevant Statutes and Rules:

2-18-606 MCA - Parental Leave

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-606.htm>

MOM 3-0312 – Parental Leave

<http://hr.mt.gov/HRServices/Policies/MOM/3-0312.doc>

MOM 3-0309 – Family and Medical Leave FMLA

<http://hr.mt.gov/HRServices/Policies/MOM/3-0309.doc>

Guide - Family and Medical Leave Act Guidelines

<http://hr.mt.gov/HRServices/Guides/FMLAGuide.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Family and Medical Leave Act of 1993

The Family and Medical Leave Act of 1993 (FMLA) is a federal law that provides eligible employees up to a total of 12 weeks of job-protected leave in a 12-month period. The Department of Administration has adopted a policy that provides a more generous benefit to executive branch employees when the procedures of the FMLA policy (3-0309) are followed and leave is for any of the following reasons:

- the birth of a child and to care for the newborn child;
- the placement of a child with the employee for adoption or foster care;

- to care for an employee's spouse, child, or parent with a serious health condition; and
- a serious health condition that renders the employee unable to perform the essential functions of his or her job.

To be eligible, a state employee must have worked for the State of Montana for a total of 12 months and have been in a pay status at least 1,040 hours during the previous 12 months.

When the need for leave is foreseeable, an employee must provide at least 30 days advance notice. If it is not foreseeable, an employee must provide information as soon as possible.

A PowerPoint slideshow is available that answers most state employee questions about FMLA leave by clicking the following link.

<http://hr.mt.gov/HRServices/Policies/FMLASlideshow.ppt>

Relevant Statutes and Rules:

MOM 3-0309 – Family and Medical Leave

<http://hr.mt.gov/HRServices/Policies/MOM/3-0309.doc>

Guide – Family and Medical Leave

<http://hr.mt.gov/HRServices/Guides/FMLAGuide.doc>

Contact for Information: Your supervisor, personnel or human resources office, or the State Personnel Division at 444-3871.

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Military Leave

If you are a member of the organized militia of the state or the military forces of the United States, you are allowed up to 15 working days of paid military leave per year to attend active duty training camp or other similar training of the organized militia of the state or the military forces of the United States. If you are not eligible for paid military leave, you may request annual leave, although this is not mandatory. Or you may request compensatory time, or leave without pay.

You must be employed six calendar months to qualify for paid military leave. When you are on authorized paid military leave, you will receive your regular salary and benefits.

You must submit a copy of the orders that direct you to report for duty with your military leave request. Whenever possible, you should request military leave in advance. Your supervisor or personnel office can provide you with more information about military leave.

If you are a permanent employee who enlists in any branch of the armed services or are ordered to active duty by a reserve component, federal law requires your reinstatement in a job at the same seniority, status, and pay you would have received had you not been called to active duty. Both Federal Law (USERRA) and State Law (MCA) apply standards for timeframes required for returning to work differently depending on specific circumstances. These range between 40 and 90 days. Refer to the citations below to determine the appropriate timeframe allowed to return to work.

Relevant Statutes and Rules:

Guidelines about employment options and benefits when ordered to federal active duty military service

<http://hr.mt.gov/HRServices/USERRA.doc>

2-18-614 MCA– Military Leave

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-614.htm>

2-10-211 MCA – Reemployment of Veterans upon completion of Service

<http://data.opi.state.mt.us/bills/mca/10/2/10-2-211.htm>

MOM 3-0321 – Military Leave

<http://hr.mt.gov/HRServices/Policies/MOM/3-0321.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Disaster and Emergency Leave

The Governor can declare a disaster or emergency that allows employees paid time off not charged to accrued leave or compensatory time. A department head may also declare an affected work site closed with the approval of the Governor.

The department heads on a case-by-case basis determines the eligibility of employees for disaster and emergency leave.

Relevant Statutes and Rules:

10-3-302 MCA – Declaration of Emergency

<http://data.opi.state.mt.us/bills/mca/10/3/10-3-302.htm>

10-3-303 MCA – Declaration of Disaster

<http://data.opi.state.mt.us/bills/mca/10/3/10-3-303.htm>

MOM 3-0320 – Disaster and Emergency Leave
<http://hr.mt.gov/HRServices/Policies/MOM/3-0320.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Red Cross Service Leave

If you are a certified Red Cross Disaster Relief Volunteer, your agency may allow use of up to 15 working days of paid leave per year to assist with disasters.

When you are on authorized paid disaster leave, you will receive your regular salary and benefits.

Specialized disaster relief means one or more of the following American Red Cross service categories in which a certified disaster service volunteer is trained: shelter management; mass feeding; family services; health services; public assistance inquiries; damage assessment; a support function for the above listed services, or any other service performed for the American Red Cross for which training is required.

Leave granted shall be at the discretion of the agency head through the employee's supervisor.

You must submit verification of the request from the Red Cross with your leave request. Red Cross will provide documentation of your participation in disaster relief services. MOM Policy 3-0320 Disaster and Emergency Leave Section 2.21.312 addresses Red Cross Service Leave specifically.

Relevant Statutes and Rules:

10-3-302 MCA – Declaration of Emergency
<http://data.opi.state.mt.us/bills/mca/10/3/10-3-302.htm>

10-3-303 MCA – Declaration of Disaster
<http://data.opi.state.mt.us/bills/mca/10/3/10-3-303.htm>

2-18-627 MCA - Paid leave for disaster relief volunteer service
<http://data.opi.state.mt.us/bills/mca/2/18/2-18-627.htm>

MOM 3-0320 – Disaster and Emergency Leave
<http://hr.mt.gov/HRServices/Policies/MOM/3-0320.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Leave of Absence Without Pay

Leave without pay is a period of unpaid absence from work that does not result in a break in service. Granting and the extent of a leave of absence without pay is at the agency's discretion. There are no restrictions on your reasons for requesting leave without pay. Your agency will consider your request based on the cost and benefits to the agency and other applicable laws.

Relevant Statutes and Rules:

MOM 3-0330 – Leave of Absence Without Pay

<http://hr.mt.gov/HRServices/Policies/MOM/3-0330.doc>

2-18-611 MCA - Annual Vacation Leave

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-611.htm>

2-18-618 MCA - Sick Leave

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-618.htm>

2-18-620 MCA - Service in a Public Office

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-620.htm>

2-18-614 MCA – Military Leave Service

<http://data.opi.state.mt.us/bills/mca/2/18/2-18-614.htm>

10-2-211 MCA – Reemployment of Veterans after Service

<http://data.opi.state.mt.us/bills/mca/10/2/10-2-211.htm>

10-2-221 MCA - Reemployment of Public Employee after Service

<http://data.opi.state.mt.us/bills/mca/10/2/10-2-221.htm>

10-2-222 MCA – Application for Reemployment

<http://data.opi.state.mt.us/bills/mca/10/2/10-2-222.htm>

10-2-225 MCA – Loss of Seniority or Benefits

<http://data.opi.state.mt.us/bills/mca/10/2/10-2-225.htm>

10-2-226 MCA – Enforcement

<http://data.opi.state.mt.us/bills/mca/10/2/10-2-226.htm>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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GUIDING PRINCIPLES

Equal Employment Opportunity Program

The State of Montana's **Equal Employment Opportunity Program** has been in existence for over 20 years. A Governor's Executive Order established the State's Program and directed the Department of Administration to:

Implement and maintain an Equal Employment Opportunity Program for all state government employees. Specifically the Department shall provide such regulations, standards, and other guidelines as may be necessary to implement and maintain an effective equal employment opportunity program throughout state government. The program objectives shall be to eliminate discrimination in personnel salaries and procedures, job structuring and classification, hiring, firing, promoting and training.

Equal employment opportunity and the prohibition of discrimination is the law. Making fairness and equity a reality in the workplace is the mission of the State's EEO Program and the State Personnel Division. The State Personnel Division has an obligation to provide information, education and technical assistance to help everyone understand and comply with legal requirements.

It is the policy of the State of Montana that state government:

- Is an equal employment opportunity employer;
- Does not discriminate in employment based upon **race, color, national origin, age, physical or mental disability, marital status, religion, creed, sex, sexual orientation or political beliefs**; and
- Implements and maintains an effective equal employment opportunity program that may include a written affirmative action plan.

Employees of the State of Montana have a right to work in an environment free from all forms of discrimination. The State of Montana's prohibition of discrimination includes discrimination in hiring, firing, promotions, compensation, job assignments, and other terms, conditions or privileges of employment. The State of Montana may not retaliate or allow, condone, or encourage others to retaliate against any applicant, employee, or past employee for opposing unlawful discriminatory practices, filing a discrimination complaint and/or testifying or participating in any other manner in a discrimination proceeding.

If you want to report discrimination, you can:

- Use your agency's complaint resolution procedure.

- File a complaint with the Human Rights Bureau, Department of Labor and Industry (PO Box 1728, Helena, MT 59624-1728, phone 1-800-542-0807). Complaints with the Human Rights Bureau will be accepted within 180 days of the act, or an extended 120 days if you are using an internal complaint procedure.

If you are not personally a victim of discrimination, but observe actions against other employees that you believe to be discrimination, you are encouraged to bring it to the attention of your EEO Officer or ADA Coordinator.

Relevant Statutes and Rules:

Title 49 MCA - Human Rights

http://data.opi.state.mt.us/bills/mca_toc/49.htm

MOM - Nondiscrimination-EEO Rules

<http://hr.mt.gov/HRServices/Policies/MOM/3-0630.doc>

Guide - Nondiscrimination-EEO Guide

<http://hr.mt.gov/HRServices/Guides/EEOGuide.doc>

Governor's Executive Order 24-81 (Establishing State's EEO Program)

<http://hr.mt.gov/HRServices/Policies/ExecOrder24-81.doc>

Model EEO policy statement poster

<http://hr.mt.gov/HRServices/Policies/ModelEEOPolicyStatementPoster.doc>

Model complaint resolution procedure poster

<http://hr.mt.gov/HRServices/Policies/ModelCompliantResolution.doc>

Contact for Information: Your supervisor, personnel or human resources office may have additional material on this subject.

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Affirmative Action Plans

Writing an Affirmative Action Plan was made voluntary since most of the state's objectives to correct statistical problem areas have been effective. All agencies continue to review workforce and applicant statistical reports and some agencies are still writing Affirmative Action Plans. An Affirmative Action Plan is defined as an active program, with specific goals and timetables that gives minorities or women opportunities in hiring, promotion, and other areas that they have missed in the past because of an organization's discriminatory policies.

Affirmative Action Program

<http://hr.mt.gov/HRServices/affirmaction.asp>

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Americans with Disabilities Act of 1990

The Americans with Disabilities Act (ADA) is a comprehensive civil rights law that mandates the elimination of discrimination against persons with disabilities. State agencies must provide reasonable accommodations for qualified individuals to enable them to do the essential functions of a job, unless the changes impose undue hardship. Agencies must also remove barriers to participation in state-sponsored programs, services and activities when necessary. Each agency has appointed an ADA Coordinator who is responsible for ensuring compliance with the law.

The US Department of Justice, Civil Rights Division, Disability Rights Section, provides extensive technical assistance on a CD. This information includes ADA Regulations; ADA Standards for Accessible Design; Technical Assistance Manuals and Documents.

Executive Order 29-00 established the Governor's Advisory Council on Disability. The purpose of the GACD is to advise state government on ADA implementation.

Relevant Statutes and Rules:

FedLaw (Civil Liberties, Civil Rights, Equal Opportunity and Disabilities)

<http://thecre.com/fedlaw/legal6.htm>

MOM 3-0315 - Disability and Maternity Leave

<http://hr.mt.gov/HRServices/Policies/MOM/3-0315.doc>

GACD Executive Order

<http://discoveringmontana.com/gov2/css/eo/20-02.asp>

Additional Helpful Links:

US Department of Justice ADA Resources

<http://www.usdoj.gov/crt/ada/adahom1.htm>

State Personnel Division ADA Resources

<http://hr.mt.gov/HRServices/ada.asp>

GACD Home Page

http://www.dphhs.state.mt.us/dsd/govt_programs/vrp/vrs/admin_info/GovCouncil/index.htm

Contact for Information: For more information, you may contact your agency coordinator or one of the State ADA Coordinators listed under the Department of Administration. Your supervisor, personnel or human resources office may have additional material on this subject.

Training and Development

Training and Development are important underlying concepts in your employment with the State of Montana. An employee is responsible for assessing their needs and working with their supervisor to obtain the appropriate training to help them become more productive as an employee.

State of Montana Training Programs

The Department of Administration provides training and development opportunities at two training centers:

The Professional Development Center (PDC) provides a variety of high quality training courses for managers and employees. Topic areas include written and verbal communication development, public relations skills, management development, and other customized training programs that are usually half-day or full-day workshops.

For information about courses, schedules, fees, and other services, see PDC's quarterly schedule poster, call PDC at (406) 444-3985, or check the website at <http://hr.mt.gov/training/pdc/homepdc.asp>

Information Services Division (ISD) coordinates a technical training program for state employees providing classes on the state's software and applications: Microsoft Office (Word, Excel, Access, PowerPoint, Outlook), Windows, Internet, a series of Oracle programming, and a full set of training on the new Statewide Accounting, Budgeting and Human Resource System (SABHRS).

Self-study materials - Media Based Training (MBT). ISD maintains a library of video and CD-ROM courseware on pertinent topics. MBT is a cost-effective way to provide training to a small group of employees with a specialized need. For example, there is an extensive library of telecommunications courses such as TCP/IP and internet-working. These courses are a good way to provide training in remote offices, to supplement an employee's knowledge, or to provide just-in-time training when a class may be unavailable.

Specialized subcontracting. When appropriate, ISD will arrange for outside experts to come to Helena to present training. This usually occurs with new technology or complex subjects. For example, outside instructors have been used for Windows NT training and systems analysis and development training.

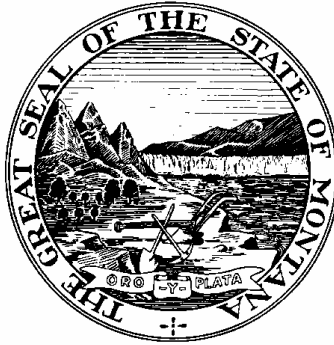
More information on offerings and schedules is available through *ISD News & Views* (phone 444-2700 to subscribe), or through the ISD web page. <http://www.state.mt.us/itsd/default.asp>

Agency Training Programs

Many agencies have internal training programs designed to develop employees' skills that are specific to the agency's mission. Agencies also have training funds for other training programs.

Contact for Information: Contact your agency's training officer, your supervisor, or personnel office for information about your agency's internal training programs.

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State of Montana

The Employee Handbook has been prepared for your information and understanding of the policies, practices, and benefits of the State of Montana. Please read it carefully. After reviewing the handbook, please sign the statement below, and return to your personnel officer by the due date.

I, _____, have received and read a copy of the State of Montana Employee Handbook which outlines the policies, benefits and expectations of the State, as well as my responsibilities as an employee. I have familiarized myself, at least generally, with the contents of this handbook.

By my signature below, I acknowledge, understand, accept, and agree to comply with the information contained in the Employee Handbook. I understand this handbook does not cover every situation which may arise during my employment, but it is a general guide to the policies, practices, benefits, and expectations of the State of Montana.

I understand that the State of Montana Employee Handbook is not a contract of employment. If my job is part of a collective bargaining unit, this handbook does not negate the provisions of the collective bargaining agreement.

(Employee signature)

Please return by: _____
(due date)